SENATE ENROLLED ACT No. 94

AN ACT concerning natural and cultural resources.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. [EFFECTIVE JULY 1, 2006] **(a) The lake management work group is established. The activities of the work group established by this SECTION must be directed to problems and issues associated with lakes that meet the definition of a public freshwater lake under IC 14-26-2-3.**

(b) The work group consists of twenty-six (26) members appointed as follows:

(1) Four (4) members of the general assembly consisting of:

(A) two (2) members of the house of representatives who may not be members of the same political party, appointed by the speaker of the house of representatives; and

(B) two (2) members of the senate who may not be members of the same political party, appointed by the president pro tempore of the senate.

(2) Three (3) representatives of the department of natural resources, at least one (1) of whom must be an officer in the division of law enforcement, appointed by the governor.

(3) The commissioner of the department of environmental management or the commissioner's designee.

(4) One (1) representative of the Indiana Lake Management Society or a similar organization of citizens concerned about lakes, appointed by the governor.

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(5) One (1) representative of the Natural Resources Conservation Service of the United States Department of Agriculture appointed by the governor upon the recommendation of the Natural Resources Conservation Service.

(6) One (1) representative of soil and water conservation districts organized under IC 14-32 or IC 13-3-1 or IC 14-32-3 (before their repeal), appointed by the governor.

(7) Ten (10) members appointed by the governor, each of whom is:

    (A) a participant in lake related recreational activities;

    (B) a resident of a lake area;

    (C) the owner or operator of a lake related business; or

    (D) interested in the natural environment of Indiana lakes.

(8) One (1) representative of the United States Army Corps of Engineers appointed by the governor upon the recommendation of the commander of the Louisville District of the United States Army Corps of Engineers.

(9) One (1) representative of an agricultural organization, appointed by the governor.

(10) One (1) representative of an environmental organization, appointed by the governor.

(11) Two (2) other individuals appointed by the governor as at-large members.

(c) When appointing two (2) members of the senate to the work group under subsection (b)(1)(B), the president pro tempore of the senate shall appoint one (1) senator to serve as the chairperson of the work group beginning July 1, 2006, and ending June 30, 2007.

(d) When appointing two (2) members of the house of representatives to the work group under subsection (b)(1)(A), the speaker of the house of representatives shall appoint one (1) representative to serve as chairperson of the work group beginning July 1, 2007, and ending June 30, 2008.

(e) The work group shall meet at the call of the chairperson but may not meet more than three (3) times each year.

(f) To fill the positions created by subsection (b)(7), the governor shall appoint at least one (1) resident to represent each congressional district in Indiana. Each individual who was appointed by the governor as a member of the work group under P.L.65-2000 (before its expiration) is appointed to serve on the work group until the governor appoints a successor.

(g) The work group is under the direction of the department of

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natural resources. The department may contract with a facilitator to facilitate the work of the work group. The department of natural resources shall staff the work group. Except as provided in subsection (m), per diem, mileage, travel allowances, and other expenses paid under this SECTION shall be paid from appropriations made to the department of natural resources.

(h) The work group shall do the following:

(1) Monitor, review, and coordinate the implementation of the work group's recommendations issued under P.L.239-1997 and P.L.65-2000.

(2) Facilitate collaborative efforts among commonly affected state, county, and local governmental entities in cooperation with lake residents and related organizations.

(3) Conduct public meetings to hear testimony and receive written comments concerning lake resource concerns and the implementation of the work group's recommendations.

(4) Develop proposed solutions to problems concerning the implementation of the work group's recommendations.

(5) Review, update, and coordinate the implementation of new and existing recommendations by communicating with the public, the general assembly, and other governmental entities concerning lake resources.

(6) Review and coordinate the development and maintenance of an Internet web site that includes information on the management of lake and watershed resources.

(7) Issue reports to the natural resources study committee when directed to do so.

(8) Review all funding that is used for Indiana's waterways, including potential funding sources that could be used by the general assembly to correct funding problems.

(9) Issue:

(A) an interim report before July 1, 2007; and

(B) a final report before July 1, 2008.

(i) The affirmative votes of a majority of the members appointed to the work group are required for the work group to take action on any measure, including final reports.

(j) The work group shall make its reports available to:

(1) the natural resources study committee;

(2) the department of natural resources;

(3) members of the house agriculture, natural resources, and rural development standing committee and the senate natural resources standing committee; and

(4) the public.

(k) Each member of the work group who is not a state employee is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is, however, entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(l) Each member of the work group who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(m) Each member of the work group who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be paid from appropriations made to the legislative council or the legislative services agency.

(n) This SECTION expires July 1, 2008.

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President of the Senate

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President Pro Tempore

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Speaker of the House of Representatives

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Governor of the State of Indiana

Date: _____ Time: _____

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